

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION

IN RE:
David Melvin Blair

CASE NO: 12-50449

SSN# : XXX-XX-7658 DEBTOR

MOTION OF TRUSTEE TO DISMISS CASE
OR TO MODIFY PLAN

The undersigned Trustee in the above-referenced Chapter 13 case hereby moves the Court to dismiss the case, or to modify the plan in such a manner as the Court deems necessary and appropriate, for the following reason(s):

Plan payments are currently in default.

A Preliminary Hearing will be held on this motion as shown on the attached Notice, at which the Trustee will recommend to the Court to grant a variety of relief options in this case, including but not limited to dismissing the case, extending or reducing the term of the plan, reducing or increasing the plan payment, reducing the percentage paid to unsecured creditors, granting a moratorium on missed payments, granting a hardship discharge, modifying the plan to the payments made so far, allowing for a fee to the debtor's attorney for representation at the hearing, or granting any other such relief which the Court determines to be necessary and appropriate.

Dated: April 12, 2016

Steven G. Tate
Chapter 13 Trustee

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION

IN RE:
David Melvin Blair

CASE NO: 12-50449

SSN# : XXX-XX-7658 DEBTOR

NOTICE OF MOTION OF TRUSTEE TO DISMISS CASE OR TO MODIFY PLAN

The Chapter 13 Trustee has filed papers in the bankruptcy case for the DEBTOR named above to dismiss the case or to modify the plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the Court to grant the relief requested by the Trustee in the motion, or if you want the Court to consider your views on this motion, then you or your attorney must file with the Court a written response to the motion by May 04, 2016 at the following address:

CLERK, U.S. BANKRUPTCY COURT
401 W TRADE ST ROOM 111
CHARLOTTE, NC 28202

If you **mail** your response to the Court for filing, you must mail it early enough for the Court to **receive** it on or before the deadline stated above.

A Preliminary Hearing will be held on the Trustee's motion on **May 17, 2016 at 10:30 am** at the following address:

CHAPTER 13 BANKRUPTCY OFFICE
212 COOPER STREET
STATESVILLE, NC 28677-5856

If you oppose the relief sought in the Trustee's motion, you must attend the Preliminary Hearing. Failure to attend the Preliminary Hearing and to otherwise respond to the motion may result in the Court granting the relief sought. If a response is made and the motion is not resolved by consent at the Preliminary Hearing, a hearing before the Court will be scheduled.

Dated: April 12, 2016

Steven G. Tate
Chapter 13 Trustee
212 Cooper St
Statesville, NC 28677-5856
(704) 872-0068
general@ch13sta.com

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CERTIFICATE OF SERVICE

The parties whose names and addresses are listed below were served by United States first class mail, postage prepaid on 4/13/2016.

K. Myers
Office of the Chapter 13 Trustee

Ashley Funding Services LLC, c/o Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
BB&T-BR DEPT, PO BOX 1847, WILSON, NC 27894-1847
David A Simpson, Substitute Trustee, 2550 W Tyvola Rd Ste 520, Charlotte, NC 28217-4551
David Melvin Blair, 822 Sorrento Dr, Blowing Rock, NC 28605-9447
DECA Financial Services LLC, PO Box 910, Fishers, IN 46038-0910
Internal Revenue Service, PO Box 7317, Philadelphia, PA 19101-7317
Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346
Matthew T McKee Esquire, Rogers Townsend & Thomas PC, 2550 W Tyvola Rd Ste 520, Charlotte, NC 28217
Preston Ridge Partners II LLC, c/o Statebridge Co LLC, 5680 Greenwood Plaza Blvd Ste 100S, Greenwood Village, CO 80111
Selene Finance, PO Box 422039, Houston, TX 77242-4239
Watauga Medical Center PMB, Emergency, PO Box 3379, Boone, NC 28607-3379
Watauga Medical Center, PO Box 1851, Boone, NC 28607-1851
Total Served:12